

Morris
Phillips
Proffer
Shofner

Strauss
Taylor
Tynan
Vick

Absent

Carney
Hudson

Kelly of Tarrant
Moore

Absent—Excused

Bullock
Colson

Weinert

Bills Signed

The President pro tempore signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills:

S. B. No. 65, A bill to be entitled "An Act relating to the County Court of Jefferson County At Law; amending Acts 1919, Chapter 27, Section 4, the same being Article 1970-114, Revised Civil Statutes of Texas, 1925, with reference to the terms of said Court; amending Acts 1919, Chapter 27, Section 5, same being Article 1970-115, Revised Civil Statutes of Texas, 1925, with reference to the election, tenure and qualifications of the Judge of said Court; amending Acts 1937, Chapter 377, Section 1, same being Article 1970-122, Revised Civil Statutes of Texas, 1925, with reference to the salary of the Judge of said Court; providing a saving clause; and declaring an emergency."

S. B. No. 213, A bill to be entitled "An Act making an appropriation of Twelve Hundred Ninety-eight (\$1,298.00) Dollars to pay the salary of Ralph K. Gillen as Special Judge of the One Hundred and First District Court of Dallas County, Texas; and declaring an emergency."

S. B. No. 169, A bill to be entitled "An Act approving and adopting the Pecos River Compact; authorizing the Governor to appoint a Commissioner to administer the provisions of the Compact; providing for the salary and necessary expenses of the Commissioner; appropriating for the expenses of administering the Compact; and declaring an emergency."

Adjournment

On motion of Senator Bell, the Senate at 12:55 o'clock p.m., adjourned until 10:30 o'clock a.m. Monday, March 7, 1949.

Record of Vote

Senators Corbin and Phillips asked to be recorded as voting "nay" on the motion to adjourn.

THIRTIETH DAY

(Monday, March 7, 1949)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called, and the following Senators were present:

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Colson	Phillips
Corbin	Proffer
Cousins	Shofner
Hardeman	Strauss
Harris	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Absent—Excused

Hazlewood Morris

A quorum was announced present.

The Reverend Frank Luker, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday was dispensed with and the Journal approved.

Leaves of Absence Granted

Senator Morris was granted leave of absence for today on account of important business on motion of Senator Jones.

Senator Hazlewood was granted leave of absence for today on account of illness on motion of Senator Hardeman.

Reports of Standing Committees

Senator Ashley submitted the following report:

Austin, Texas,
March 7, 1949.

Hon. Allan Shivers, President of the Senate.

Dear Sir: We, your Committee on Privileges and Elections, to whom was referred H. C. R. No. 33, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ASHLEY, Chairman.

Senator Tynan submitted the following reports:

Austin, Texas,
March 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 150, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

TYNAN, Chairman.

Austin, Texas,
March 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 85, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

TYNAN, Chairman.

Austin, Texas,
March 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 83, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but the Committee Substitute be passed in lieu thereof and be printed.

TYNAN, Chairman.

C. S. S. B. No. 83 was read first time.

Austin, Texas,
March 3, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Criminal

Jurisprudence, to whom was referred S. B. No. 86, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but the Committee Substitute be passed in lieu thereof and be printed.

TYNAN, Chairman.

C. S. S. B. No. 86 was read first time.

Senator Harris submitted the following report:

Austin, Texas,
March 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, Your Committee on Rules, to whom was referred Senate Concurrent Resolution No. 13, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HARRIS, Chairman.

Message from the House

Hall of the House of Representatives,

Austin, Texas,
March 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 20, A bill to be entitled "An Act making an emergency appropriation to the Attorney General for the purpose of defending the title of the State of Texas to lands beneath navigable waters within the State's boundaries, conducting additional research and litigation, and assistance to the Legislature, and declaring an emergency."

S. B. No. 27, A bill to be entitled "An Act validating the discontinuance and/or any attempted discontinuance of territory, and validating the boundaries and areas of all cities and towns incorporated under the General Laws of the State of Texas, having a population of two thousand (2,000) inhabitants or less, at the time of the discontinuance or attempted discontinuance of said territory; validating all petitions and ordinances discontinuing or attempting to discontinue territory, and validating the boundary lines of any such city or town, after

the discontinuance or attempted discontinuance of such territory, although the territory in said city, as a result of the discontinuance or attempted discontinuance of such territory, consists of two or more separate areas, and validating the act of any city contiguous thereto in subsequently annexing the territory thus discontinued; provided that this act shall not apply in cases where litigation, affecting such discontinuance or attempted discontinuance of territory, is now pending; and declaring an emergency."

With amendment.

H. B. No. 33, A bill to be entitled "An Act providing for retirement of Judges of this State; defining certain terms; providing the conditions under which retirement pay shall be paid; and the amount of such retirement pay; providing for contribution by the Judges and refund of said contributions under certain conditions; providing for reassignment; providing for repeal of laws in conflict; providing for validity of remaining portion of Act, if any part declared unconstitutional, and declaring an emergency."

H. B. No. 267, A bill to be entitled "An Act authorizing the Commissioners' Court of Henderson County, Texas to issue bonds to refund certain outstanding time warrants; prescribing the method of issuing such bonds; adopting the provision of Articles 709 to 715, both inclusive, with reference to approval by the Attorney General and registration by the Comptroller; validating the warrants thus to be refunded; and declaring an emergency."

H. B. No. 391, A bill to be entitled "An Act establishing a Police Officers' Pension System in all cities of this State having a population of not less than one hundred seventy-five thousand (175,000) inhabitants, nor more than two hundred forty thousand (240,000) inhabitants, according to the last preceding or any future Federal Census; providing a saving clause; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 414, by vote of 133 yeas, 0 nays.

S. B. No. 308, A bill to be entitled "An Act making an appropriation of

the sum of Three Hundred and Fifty Thousand Dollars (\$350,000), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses, and to pay the mileage and per diem of members and the per diem of officers and employees of the Regular Session of the Fifty-first Legislature, and to pay any unpaid accounts or expenses of the Fiftieth Legislature; and declaring an emergency."

H. B. No. 129, A bill to be entitled "An Act amending Chapter I of Title 50, of the Revised Civil Statutes of the State of Texas of 1925 by adding Article 2929a; providing that no person who has been elected or appointed to an executive, administrative, judicial or legislative public office in the State of Texas for a term of more than two (2) years shall be eligible to run for nomination or election to any other public office the term of which would begin before the expiration of the term of the original office to which such person was elected or appointed, without first resigning from such original office; providing that no election official shall place the name of such ineligible person on the ballot for any election or certify his name as a candidate or nominee; and providing for enforcement of such law by injunction proceedings and other remedies provided in the laws of Texas concerning ineligible candidates; providing for precedence of such suits; repealing all laws in conflict; providing a savings clause; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Bills and Resolution on First Reading

The following bills and resolution were introduced, read severally first time and referred to the committees indicated:

By Senator Jones:

S. B. No. 326, A bill to be entitled "An Act to amend sections one (1), two (2), four (4), five (5) and nine (9), Acts 1939, 46th Legislature, page 376, Chapter 7, requiring permits for and regulation of the manufacture, repair, renovation, sale, or having in

possession with intent to sell bedding; and declaring an emergency."

To Committee on Public Health.

By Senator Phillips:

S. B. No. 327, A bill to be entitled "An Act creating the Texas Hydroelectric Regulatory Commission for the regulation and control of services rendered by hydroelectric projects situated on navigable rivers of this state and owned or operated by any district or authority or other state agency (herein called 'districts') receiving from the state a grant of state ad valorem taxes collected upon property and from persons in certain designated counties or political subdivisions; requiring rates and charges for electric power and services rendered by districts to be reasonable, non-discriminatory and just to the customers; empowering the commission to regulate and fix rates and compensation to be charged by districts and to prescribe rules and regulations; prescribing the powers and duties of the commission and the duties and rights of the parties with reference to the making of power sale contracts and the fixing of rates, charges and compensation under existing contracts; providing for appeal from action of the commission; enacting other provisions relating to the subject; and declaring an emergency."

To Committee on State Affairs.

By Senator Vick:

S. B. No. 328, A bill to be entitled "An Act to amend Article 4542a, Section 9, Revised Civil Statutes of Texas, 1925; as amended by Acts of 1929, 41st Legislature, Chapter 107; Acts of 1935, 44th Legislature, Chapter 98; 1943, 48th Legislature, Chapter 395; and declaring an emergency."

To Committee on State Affairs.

By Senator Vick:

S. B. No. 329, A bill to be entitled "An Act to amend Article 4542a, Section 4, Revised Civil Statutes of Texas, 1925; as amended by Acts of 1929, 41st Legislature, Chapter 107; Acts of 1935, 44th Legislature, Chapter 98; 1943, 48th Legislature, Chapter 395; and declaring an emergency."

To Committee on State Affairs.

By Senators Vick, Shofner, Corbin, Hudson, Moore, Jones, Cousins, Bullock, Harris, Tynan, Kelley of Hidalgo, Hazlewood, Hardeman:

S. B. No. 330, A bill to be entitled "An Act amending Section 5, Article 1, Chapter 467, Acts of the Second Called Session of the 44th Legislature as amended by Chapter 448, Acts of a Regular Session of the 45th Legislature providing for the appointment of the members of the Texas Liquor Control Board, the Administrator of said Board, and the employees of said Board; fixing their terms of office, salaries and duties; and declaring an emergency."

To Committee on State Affairs.

By Senator McDonald:

S. B. No. 331, A bill to be entitled "An Act to amend Article 4168 of the 1925 Revised Civil Statutes of the State of Texas, to authorize guardians to contract for the recovery of property of their wards and pay expenses incident to such recovery by conveyance of a contingent interest therein, subject to approval by the Probate Court; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Hudson:

S. B. No. 332, A bill to be entitled "An Act providing for County Juvenile Boards in counties having a population of less than 70,000 inhabitants, according to the last preceding Federal Census, and forming a part of a Judicial District, in which four or more of the counties composing such Judicial District border on the International Boundary between the United States and the Republic of Mexico; providing for additional compensation for their members; expressly declaring that nothing in this Act shall be construed to repeal Article 6819a, Acts of the Forty-ninth Legislature, Chapter 200, page 271, nor Article 5139 of the Revised Civil Statutes of Texas, 1925, as amended by Act of the Fiftieth Legislature, Chapter 326, page 560, nor any laws fixing other compensation for the Judges of the District Courts or County Judges; providing compensation allowed County Judges hereunder shall not be counted as fees of office; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senators Morris and Aikin:

S. B. No. 333, A bill to be entitled "An Act pertaining to the Teacher Retirement System of Texas, amending Section 1 of Chapter 470, Acts of

the 45th Legislature as amended by Chapter 376, Acts of the 47th Legislature, as amended by Chapter 377, Acts of the 48th Legislature, and as amended by Chapter 248, Acts of the 50th Legislature; amending Section 2 of Chapter 470, Acts of the 45th Legislature; amending Subsection (3) of Section 3 of Chapter 470, Acts of the 45th Legislature, as amended by Chapter 248, Acts of the 50th Legislature; amending Subsection (4) of Section 3 of Chapter 470, Acts of the 45th Legislature; amending Subsection (5) of Section 3 of Chapter 470, Acts of the 45th Legislature, as amended by Chapter 248 of the 50th Legislature; amending Subsections (1) and (5) of Section 4 of Chapter 470, Acts of the 45th Legislature; amending Section 5 of Chapter 470, Acts of the 45th Legislature, as amended by Chapter 376, Acts of the 47th Legislature; and as amended by Chapter 377, Acts of the 48th Legislature, and by Chapter 248, Acts of the 50th Legislature; amending Section 8 of Chapter 470, Acts of the 45th Legislature, as amended by Chapter 376, Acts of the 47th Legislature; and as amended by Chapter 377, Acts of the 48th Legislature; amending Section 10, of Chapter 470, Acts of the 45th Legislature, as amended by Chapter 377, Acts of the 48th Legislature; declaring the Act to be severable; and declaring an emergency."

To Committee on Education.

By Senator Strauss:

S. B. No. 334, A bill to be entitled "An Act to regulate and license the business of making small loans in the amount or value of Five Hundred (\$500.00) Dollars or less, secured or unsecured; making findings of fact and statement of legislative purpose and policy; defining certain terms; defining the persons and business covered by this Act and the exceptions thereto; providing that a license to engage in such business shall be obtained from the Banking Commissioner of Texas; that each applicant for such license shall have certain qualifications, shall pay certain investigation and license fees and file a bond in the sum of One Thousand (\$1,000.00) Dollars; that each licensee shall pay certain fees; providing for notice and hearing before said Commissioner upon his refusal to issue a license and before he shall suspend or revoke a license, and pro-

viding for judicial review of the Commissioner's findings, decisions and orders; requiring certain records and reports of the licensee; prohibiting the publication of false statements or misrepresentations by licensees; providing for investigations to discover violations of this Act; defining certain charges and fixing the maximum rates and amounts thereof and declaring such charges to be prima facie reasonable; prescribing the minimum and maximum period of loans made under this Act and prohibiting the splitting up of such loans; providing that the borrower shall be informed of the cost of the loan, and furnished with receipts for all payments made thereon; regulating the purchase of assignments of wages, salary, commissions or other compensation for services and the use of chattel mortgages when given as security for loans of Five Hundred (\$500.00) Dollars or less; authorizing reasonable insurance in connection with a loan; providing that the violation of certain provisions of this Act shall constitute a misdemeanor, and prescribing punishment and penalties therefor; providing for the deposit of all fees and charges collected under this Act into the State Treasury; providing for the payment of salaries and expenses for the administration of this Act; providing for the administration of this Act and for the issuance and enforcement of regulations and orders therefor; repealing Articles 6162, 6163, 6164 and 6165, Revised Civil Statutes, as amended by Chapter 17, page 30, Acts of the 40th Legislature, First Called Session, 1927, and as further amended by Chapter 195, page 266, Acts of the 49th Legislature, 1945; Section 14 of Article 7047, Revised Civil Statutes, as amended by Chapter 14, page 68, Acts of the 42nd Legislature, Second Called Session, 1931; Section 15 of Article 7047, Revised Civil Statutes, as amended by Chapter 212, page 355, Acts of the 42nd Legislature, First Called Session, 1931; and Articles 1127, 1128 and 1129 of the Penal Code, as amended by Chapter 17, page 30, Acts of the 40th Legislature, First Called Session, 1927; and repealing Articles 5069, 5071 and 5073, Revised Civil Statutes, insofar as they are inconsistent with the provisions of this Act; and repealing all other acts or parts of acts which relate to the same subject matter as this Act insofar as they are inconsistent with the pro-

visions of this Act; providing that this Act shall not be void as a whole if any part thereof is held unconstitutional; and declaring an emergency."

To Committee on Banking.

By Senators Shofner, Moore, McDonald and Corbin:

S. J. R. No. 10, Proposing an amendment to Section 33 of Article III of the Constitution of the State of Texas by providing therein that bills for raising revenue may originate in the House of Representatives or in the Senate; providing for the Governor's proclamation and submission to the electorate.

To Committee on Constitutional Amendments.

Senate Concurrent Resolution 23

Senator Hudson offered the following resolution:

S. C. R. No. 23, Providing for the disposition of all properties, both real and personal, and interests in property acquired by the State of Texas, pursuant to the operations of Articles 6144b and 6144c, R. C. S., and the Commission of Control for Centennial Celebrations, not heretofore disposed of.

Be it resolved by the Legislature of The State of Texas:

Whereas, the 43rd Legislature, by Acts of 1934, Chapter 69, Page 164, Second Called Session, and the 44th Legislature, by Acts of 1935, Chapter 174, Page 427, did provide for the creation of a Commission of Control for Texas Centennial Celebrations and said Commission of Control did function whereby the State of Texas in 1936 did celebrate its Centennial of Statehood; and,

Whereas, suitable markers, memorials, and buildings were placed at sites where historical events occurred; that houses, forts, Indian villages, and other structures of historical significance were constructed within the State of Texas; that monuments were placed to the memory of the early patriots of Texas; that suitable tracts of land were purchased, where necessary, for a full and complete celebration; and that brilliant pageants, expositions and celebrations were staged at appropriate places; and,

Whereas, the 43rd Legislature, by Acts of 1934, Chapter 69, Page 164,

Second Called Session, by Section 14 thereof, did provide that all lands and buildings purchased by legislative appropriations and all net profits that were acquired by said Commission of Control should be turned over to the State of Texas within two (2) years after the close of the Texas Centennial Celebration and at that time would be disposed of by the Legislature as the same may deem proper, after a final report to the Legislature by the said Commission of Control; and,

Whereas, such property so acquired has never been disposed of; and,

Whereas, the museums, markers, monuments and memorials are widely scattered throughout the State of Texas and the cost incident to the proper maintenance of same by one state agency would be quite large; and,

Whereas, grave public concern is felt for the preservation of the property so acquired by the said Commission of Control because at present the custody and control of such property is not definitely known, thereby causing such property to deteriorate and depreciate in public historical value and significance and in actual value; and,

Whereas, certain agencies of the state government and other organizations have manifested a real interest in the preservation of such properties; now, therefore, be it,

Resolved, by the Senate, and the House of Representatives concurring, that the control and custody of all markers and memorials located on the right-of-ways of any of the state highways are hereby given to the State Highway Department; that the control and custody of the Big Bend Historical Museum at Alpine, Texas, be given to the Sul Ross State Teachers College; that the control and custody of the West Texas State Teachers College Museum at Canyon, Texas, be given to the West Texas State Teachers College; that the control and custody of the Memorial Museum at El Paso, Texas, be given to the College of Mines; that the control and custody of the Sam Houston Shrine and Memorial at Huntsville, Texas, be given to the Sam Houston State Teachers College; that the control and custody of the Museum Building at Lubbock, Texas, be given to Texas Technological College; and that the control and custody of all other museums, memorials, monu-

ments and markers located on state owned property be given to the state agency on which same is located; that the control and custody of all museums, memorials, monuments and markers not located on state owned property, together with all land and buildings, are hereby given to the municipal corporation in which such property is located and, if not located within the limits of a municipal corporation or such municipal corporation fails to assume control and custody of such property, then the control and custody of same shall be given to the county in which such property is located. It shall be the duty of the state agency, municipal corporation or county receiving control and custody pursuant hereto to maintain such property received and to preserve its historical significance. Dispositions of property heretofore made are hereby in all things ratified and confirmed; and, be it further,

Resolved, that the Texas State Library and Historical Commission shall prepare necessary data and information for historical purposes concerning such museums, memorials, markers and sites and preserve same within the Library of the State of Texas for all future reference.

The resolution was read and referred to the Committee on State Affairs.

Senate Resolution 61

Senator McDonald offered the following resolution:

Whereas, the Honorable T. C. Chadick, former Senator of the Seventh Senatorial District of the State of Texas, is today visiting in the City of Austin, and

Whereas, the said T. C. Chadick has served in the Senate for quite a number of years with honor to himself and distinction to his district and the people of the State of Texas, and

Whereas, during his tenure of office, he greatly endeared himself to the Members with whom he worked, and

Whereas, quite a number of his old friends are now yet serving in the Senate and would be happy to have him in their midst once again. Now therefore, be it

Resolved that the Honorable T. C. Chadick be given the privileges of the floor for today.

The resolution was read and was adopted.

House Bills on First Reading

The following bills, received from the House today, were laid before the Senate, read severally first time, and referred to the committees indicated:

H. B. No. 198, to Committee on Finance.

H. B. No. 20, to Committee on Finance.

H. B. No. 33, to Committee on Civil Jurisprudence.

H. B. No. 267, to Committee on Civil Jurisprudence.

H. B. No. 391, to Committee on State Affairs.

H. B. No. 129, to Committee on Civil Jurisprudence.

Senate Bill 61 with House Amendments

Senator Colson called S. B. No. 61 from the President's table for consideration of the House amendments to the bill.

The President pro tempore laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Colson moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Phillips
Colson	Proffer
Corbin	Shofner
Harris	Strauss
Hudson	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert

Nays—1

Hardeman

Absent

Cousins Moore

Absent—Excused

Hazlewood Morris

Bill Re-referred

On motion of Senator Bracewell, H. B. No. 17 was withdrawn from the Committee on Public Health and re-referred to the Committee on Criminal Jurisprudence.

**Senate Bill 27
with House Amendments**

Senator Carney called S. B. No. 27 from the President's table for consideration of the House amendments to the bill.

The President pro tempore laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Carney moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—24

Ashley	Lock
Bracewell	Martin
Carney	McDonald
Colson	Moffett
Corbin	Phillips
Hardeman	Proffer
Harris	Shofner
Hudson	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Lane	Weinert

Nays—1

Aikin

Absent

Bell	Cousins
Bullock	Moore

Absent—Excused

Hazlewood	Morris
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Bill Ordered Not Printed

On motion of Senator Cousins, it was ordered that H. B. No. 92 be not printed.

Bills and Resolution Signed

The President pro tempore signed in the presence of the Senate, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

S. B. No. 3, A bill to be entitled "An Act making an appropriation for an improvement program for the Texas Prison System; and declaring an emergency."

S. B. No. 102, A bill to be entitled "An Act validating independent school districts which have been enlarged by consolidations with other districts and by orders of county boards of school trustees, and whose boundaries have been defined by orders passed by the county board of school trustees of the county in which the principal school of the independent district is situated, etc; and declaring an emergency."

S. C. R. No. 22, Authorizing Board of Control to dispose of confiscated cigarettes, unfit for use.

H. B. No. 46, A bill to be entitled "An Act to amend Chapter 361, Acts 1943, Forty-eighth Legislature, page 635, as amended by Chapter 180, Acts 1945, Forty-ninth Legislature, page 245, providing for the classification of prisoners for good conduct, industry, and obedience, and the commutation of time in accordance with said classification; and declaring an emergency."

H. B. No. 332, A bill to be entitled "An Act amending Ch. 45, Acts of the R. S. of the 44th Legislature, 1935, as amended by Ch. 207, Acts of the R. S. of the 48th Legislature, 1943, and as amended by Ch. 227, Acts of the R. S. of the 50th Legislature, 1947, page 400, by adding thereto Washington County and continuing all other counties subject to same; providing a penalty; and declaring an emergency."

H. B. No. 151, A bill to be entitled "An Act providing means for owners of land in an incorporated city to remove said land from water district of which it is a part; removing water district taxes, charges and assessments from said land except proportionate part of bonded debt, etc.; and declaring an emergency."

H. B. No. 331, A bill to be entitled "An Act providing for the appointment of court interpreters in certain counties in certain judicial districts; providing for the payment of salaries to such interpreters, repealing all laws in conflict herewith and declaring an emergency."

H. B. No. 154, A bill to be entitled "An Act amending Article 5142-A, Revised Civil Statutes of Texas of 1925, as amended, providing for the appointment of a Chief Probation Officer and Assistant Probation Officers and fixing their terms of office; providing for the fixing of salaries and expenses of such officers and Probation Department; providing for a saving clause; repealing all laws or parts of laws in conflict; and declaring an emergency."

H. B. No. 166, A bill to be entitled "An Act amending Chapter 75, Acts of the Regular Session of the 50th Legislature, pertaining to the Texas Municipal Retirement System; and providing for the lending of not in excess of \$50,000 to said System from the General Revenue Fund of the State of Texas, and making an appropriation therefor; and for repayment by the System of such advancement; declaring the Act to be severable; and declaring an emergency."

Senate Bill 117 on Second Reading

The President pro tempore laid before the Senate as unfinished business on its passage to engrossment:

S. B. No. 117, A bill to be entitled "An Act amending Article XX, Section 4 of House Bill 8, Chapter 184, Acts of the 47th Legislature, Regular Session, 1941, as amended, by changing subsection (4-a), added by H. B. 301, Acts of the 50th Legislature, Regular Session, 1947; providing for the transfer of certain funds to the Foundation School Fund created herein; repealing conflicting laws or parts of laws; containing a savings clause, and declaring an emergency."

The bill having been read second time on Monday, February 28, 1949.

Question—Shall the bill be passed to engrossment?

(Senator Moffett in the Chair.)

Senator Aikin offered the following amendment to the bill:

Amend Senate Bill No. 117 by adding the following immediately after the word "Transmitted" on line 60, page 1 of the printed bill:

"Nothing in this Act shall be construed to affect allocation of funds for Vocational Education as provided

by statutes now in effect from the Federal Government to the State."

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend Senate Bill No. 117, line 45, page 1 of the printed bill by adding the following immediately after the word "Government":

"As reimbursement for expenditures already incurred."

The amendment was adopted.

Senator Strauss offered the following amendment to the bill:

Amend Senate Bill No. 117, Section 1, by adding a new section to be known as Section 1-A and reading as follows:

Provided that every accredited public school in Texas shall be guaranteed the payment of a sufficient amount of money from the Foundation School Fund to pay the salaries of as many teachers as the school had during the 1948-1949 school year. Provided that adjustments may be made by the State Commissioner of Education where unusual conditions arise due to a decrease in scholastic population.

Senator Aikin raised a point of order against consideration of the amendment on the ground that it is not germane to the bill.

The Presiding officer, Senator Moffett in the Chair, sustained the point of order.

Senator Strauss offered the following amendment to the bill:

Amend Senate Bill No. 117, Section 1 by adding the following:

Provided, however, that no funds shall be transferred from the clearance fund to the Foundation School Fund until and unless there is a sufficient amount of money in the available school fund to pay a per capita tax in the sum of Fifty-five Dollars (\$55.00) per year for each scholastic in Texas.

In the event there is not sufficient money in the available school fund to pay the Fifty-five Dollars (\$55.00) per capita apportionment for each scholastic, then a sufficient amount of funds shall be transferred from the Clearance Fund to the available school fund to guarantee such payments, be-

fore any funds are transferred to the Foundation School Fund.

Senator Aikin moved to table the amendment.

Yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—20

Aikin	Kelly of Tarrant
Ashley	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Proffer
Corbin	Shofner
Cousins	Taylor
Hudson	Tynan
Jones	Weinert

Nays—8

Bell	Moore
Hardeman	Phillips
Harris	Strauss
Kelley of Hidalgo	Vick

Absent

Lane

Absent—Excused

Hazlewood Morris

(President pro tempore in the Chair.)

S. B. No. 117 was passed to engrossment.

Senate Bill 117 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 117 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Jones
Ashley	Kelly of Tarrant
Bell	Lane
Bracewell	Lock
Bullock	Martin
Carney	McDonald
Colson	Moffett
Corbin	Moore
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hudson	Strauss

Taylor Vick
Tynan

Absent

Kelley of Hidalgo Weinert

Absent—Excused

Hazlewood Morris

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Moore
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Taylor
Hudson	Tynan
Jones	Weinert
Kelley of Hidalgo	

Nays—2

Strauss Vick

Absent—Excused

Hazlewood Morris

Senate Bill 221 on Second Reading

Senator Bell moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 221 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

Aikin	Kelly of Tarrant
Ashley	Lane
Bracewell	Lock
Bell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Moore
Corbin	Phillips
Cousins	Proffer
Hardeman	Strauss
Harris	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert

Absent

Shofner

Absent—Excused

Hazlewood Morris

The President pro tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 221, A bill to be entitled "An Act providing that any political party whose members believe in or advocate the principles or teachings of Communism, or who propose or advocate the overthrow of the Constitutional government of the United States by force shall not be permitted to have the name of any such party printed or placed on the official ballot at any General Election hereafter, to be held in this State, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 221 on Third Reading

Senator Bell moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 221 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Kelly of Tarrant
Ashley	Lane
Bracewell	Lock
Bell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Moore
Corbin	Phillips
Cousins	Strauss
Hardeman	Taylor
Harris	Tynan
Hudson	Vick
Jones	Weinert
Kelley of Hidalgo	

Absent

Proffer Shofner

Absent—Excused

Hazlewood Morris

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Lane
Ashley	Lock
Bracewell	Martin
Bell	McDonald
Bullock	Moffett
Carney	Moore
Colson	Phillips
Corbin	Proffer
Cousins	Shofner
Hardeman	Strauss
Harris	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Absent—Excused

Hazlewood Morris

Senate Bill 195 on Second Reading

Senator Phillips moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 195 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kelley of Hidalgo
Ashley	Kelly of Tarrant
Bracewell	Lane
Bell	Lock
Bullock	Martin
Carney	McDonald
Colson	Moffett
Corbin	Moore
Cousins	Phillips
Hardeman	Strauss
Harris	Tynan
Hudson	Vick
Jones	Weinert

Absent

Proffer Taylor
Shofner

Absent—Excused

Hazlewood Morris

The President pro tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 195, A bill to be entitled "An Act providing for the appointment of juvenile officers in counties which comprise a part of two judicial districts, each of which districts consists of four and the same four counties which four counties have a com-

bined population of not less than one hundred sixteen thousand according to the last preceding Federal Census; providing for a salary for such juvenile officers and the manner of payment thereof; providing additional compensation for the district judges in said counties; designating the duties of such county juvenile officers; providing that such juvenile officers shall make surety fidelity bond; providing that a record shall be kept of the receipts and disbursements of such county juvenile officers; providing that county court auditor shall inspect and examine such records; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 195 on Third Reading

Senator Phillips moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 195 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Jones
Ashley	Kelley of Hidalgo
Bell	Kelly of Tarrant
Bracewell	Lane
Bullock	Lock
Carney	Martin
Colson	McDonald
Corbin	Moffett
Cousins	Moore
Hardeman	Phillips
Harris	Shofner
Hudson	Strauss

Taylor	Vick
Tynan	Weinert

Absent

Proffer

Absent—Excused

Hazlewood	Morris
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The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Lane
Ashley	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Phillips
Corbin	Proffer
Cousins	Shofner
Hardeman	Strauss
Harris	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Absent

Bell	Moore
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Absent—Excused

Hazlewood	Morris
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Adjournment

On motion of Senator Weinert the Senate at 12:15 o'clock p.m., adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of
Elvis Abner Calvin

Senator Bracewell offered the following resolution:

(Senate Resolution 60)

WHEREAS, God in His infinite wisdom, on July 1, 1948, called to rest Elvis Abner Calvin of Houston, Harris County, Texas; and

WHEREAS, Elvis Abner Calvin was born seventy-three (73) years ago in Boone County, Missouri, but at an early age moved with his family to Lamar County, Texas, where at the age of twenty-three (23), he was elected from that County as a member of the State Legislature, serving in the House of Representatives during the 26th, 27th, and 28th Legislatures; and

WHEREAS, At the age of twenty-six (26) he became a member of the Texas Democratic Executive Committee, and at the age of thirty (30) was appointed a Regent of the University of Texas; and

WHEREAS, Elvis Abner Calvin thereafter was elected State and National president of the Farmers' Union, serving in that capacity until the year 1907, at which time he moved from Lamar County, Texas, to Houston, Harris County, Texas; and

WHEREAS, In the year 1912 he was elected without opposition as a member of the House of Representatives from Harris County in the 33rd Legislature, during which session he served with distinction and authored many measures aiding the teaching of agriculture in the State schools and colleges; and

WHEREAS, During World War I he was unanimously selected by all southern farm organizations as a delegate to Washington, D. C. to fight against fixing the price of cotton, and thereafter was elected a delegate to the World Cotton Conference in Vienna, Austria and in Manchester, England; and

WHEREAS, Elvis Abner Calvin was one of the organizers of the Harris County Taxpayers' Association and served as its Executive Secretary for many years, through which organization he took an active interest in the civic affairs of the City of Houston and Harris County; and

WHEREAS, Elvis Abner Calvin, during all of his long and useful life, gave unselfishly of his time and energy to the betterment of the community in which he lived and the State of Texas in general, exemplifying the fine qualities of a public servant imbued with the principles of a Southern Democrat; and

WHEREAS, Elvis Abner is survived by his widow, Mrs. Grace Calvin, at one time Society Editor of The Houston Press, and four sons: Dr. Dea B. Calvin, Dean of the University of Texas School of Medicine at Galveston; Travis H. Calvin of Mexicali, California; Aubrey Calvin of Houston; and Howard R. Calvin of San Antonio; now, therefore, be it

RESOLVED, By the Senate of the State of Texas, that this body acknowledge with regret the loss to the State of Texas which occurred with the passing of Elvis Abner Calvin, a capable public servant who devoted his talents unselfishly to the public interest, a devoted husband and a kind father; and be it further

RESOLVED, That copies of this Resolution be forwarded to Mrs. Grace Calvin, his widow, and their four sons.

BRACEWELL
AIKIN
PHILLIPS

The resolution was read and was adopted.